

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**


(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/682,655	
	Filing Date	October 8, 2003	
	First Named Inventor	Brian Yen	
	Art Unit	2878	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	N/A	Attorney Docket Number	51861.00009

ENCLOSURES (check all that apply)


<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> with RCE <input type="checkbox"/> Extension of Time Request (in duplicate) <input checked="" type="checkbox"/> Return Postcard <input checked="" type="checkbox"/> Information Disclosure Statement (2 pages) <input checked="" type="checkbox"/> PTO Form 1449 (6 pages) (original and one copy to be initialed by the Examiner and returned to us) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Request for Status of Application <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 101 References cited (only copies of 51 non-patent literature documents are enclosed since the filing date of the application is after June 30, 2003 and copies of U.S. patents are not required).		
<table border="1"><tr><td>Remarks</td><td></td></tr></table>			Remarks	
Remarks				

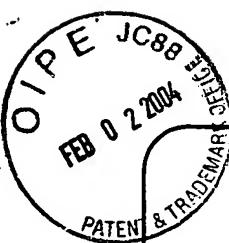
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Aaron Wining, Reg. No. 45,229 Squire, Sanders & Dempsey L.L.P. 600 Hansen Way Palo Alto, CA 94304-1043
Signature	
Date	January 29, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Aaron Wining		
Signature		Date	January 29, 2004



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0

Complete if Known

Application Number 10/682,655
Filing Date October 8, 2003
First Named Inventor Brian Yen
Examiner Name Unknown
Art Unit 2878
Attorney Docket No. 51861.00009

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

05-0150

Deposit
Account
Name

Squire, Sanders & Dempsey L.L.P.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	0		0
Independent Claims	0		0
Multiple Dependent			0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

SUBMITTED BY

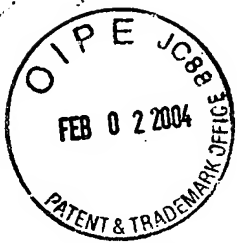
Complete (if applicable)

Name (Print/Type)	Aaron Wininger	Registration No. (Attorney/Agent)	45,229	Telephone	650.856.6500
Signature		Date	January 29, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PATENT
Attorney Docket No.: 51861.00009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

Date: 1/29/04

By: Aaron Wininger
Aaron Wininger

In re Application of:	
Brian Yen	Examiner: Unknown
Serial No.: 10/682,655	Art Unit: 2878
Filed: October 8, 2003	
Title: APPARATUS AND METHOD FOR PATTERN DELIVERY OF RADIATION AND BIOLOGICAL CHARACTERISTIC ANALYSIS	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR §§1.97(b)**

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56 and pursuant to 37 CFR §§1.97-1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the references listed on the enclosed Form PTO-1449. Pursuant to the PTO's waiver of the requirements under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent/patent application for new applications filed after June 30, 2003, we are not submitting copies of the U.S. patents cited. However, we are enclosing copies of the non-patent literature documents cited.

The present Information Disclosure Statement is being filed more than three months after the filing date but before receiving the first Office Action. Accordingly, no fee or certification is needed.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant reserves the right to dispute any of the listed documents as prior art during examination. Furthermore, Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.


The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

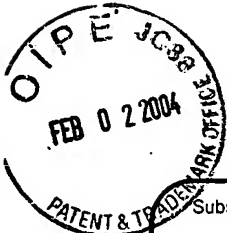
If for any reason an insufficient fee has been paid, please charge the insufficiency to Deposit Account No. 05-0150.

Date: 1/29/04

Respectfully submitted,

Squire, Sanders & Dempsey L.L.P.
600 Hansen Way
Palo Alto, CA 94304-1043
Telephone (650) 856-6500
Facsimile (650) 843-8777


Aaron Wininger
Attorney for Applicant
Reg. No. 45,229



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

6

Complete if Known

Application Number	10/682,655
Filing Date	October 8, 2003
First Named Inventor	Brian Yen
Art Unit	2878
Examiner Name	Unknown
Attorney Docket Number	51861.00009

U.S. PATENT DOCUMENTS

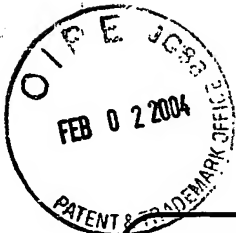
Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 3,958,560	05-25-1976	March, Wayne Front	
		US- 4,169,676	10-02-1979	Kaiser, Nils	
		US- 5,028,787	07-02-1991	Rosenthal et al.	
		US- 5,178,142	01-12-1993	Harjunmaa et al.	
		US- 5,179,951	01-19-1993	Knudson, Mark B.	
		US- 5,267,152	11-30-1993	Yang et al.	
		US- 5,313,941	05-24-1994	Braig et al.	
		US- 5,398,681	03-21-1995	Kupershmidt, Vladimir	
		US- 5,433,197	07-18-1995	Stark, Edward W.	
		US- 5,517,313	05-14-1996	Colvin, Jr., Arthur E.	
		US- 5,549,596	08-27-1996	Latina, Mark A.	
		US- 5,692,504	12-02-1997	Essenpreis et al.	
		US- 5,710,630	01-20-1998	Essenpreis et al.	
		US- 5,857,462	01-12-1999	Thomas et al.	
		US- 5,871,442	02-16-1999	Madarasz et al.	
		US- 6,001,067	12-14-1999	Shults et al.	
		US- 6,025,597	02-15-2000	Sterling et al.	
		US- 6,026,314	02-15-2000	Amerov et al.	
		US- 6,028,311	02-22-2000	Sodickson et al.	
		US- 6,061,582	05-09-2000	Small et al.	
		US- 6,064,898	05-16-2000	Aldrich, Thomas K.	
		US- 6,066,847	05-23-2000	Rosenthal, Robert D.	
		US- 6,072,180	06-06-2000	Kramer et al.	
		US- 6,097,975	08-01-2000	Petrovsky et al.	
		US- 6,099,522	08-08-2000	Knopp et al.	
		US- 6,104,939	08-15-2000	Groner et al.	
		US- 6,113,537	09-05-2000	Castano, Jaime A.	
		US- 6,120,460	09-19-2000	Abreu, Marcio Marc	
		US- 6,151,522	11-21-2000	Alfano et al.	
		US- 6,152,875	11-28-2000	Hakamata, Kazuo	
		US- 6,161,028	12-12-2000	Braig et al.	
		US- 6,167,290	12-26-2000	Yang et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/682,655
Filing Date	October 8, 2003
First Named Inventor	Brian Yen
Art Unit	2878
Examiner Name	Unknown
Attorney Docket Number	51861.00009

Sheet 2 of 6

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-6,172,743	01-09-2001	Kley et al.	
		US- 6,181,957	01-30-2001	Lambert et al.	
		US- 6,188,477	02-13-2001	Pu et al.	
		US- 6,213,943	04-10-2001	Abreu, Marcio Marc	
		US- 6,222,189	04-24-2001	Misner et al.	
		US- 6,246,893	06-12-2001	Gobeli, Garth W.	
		US- 6,275,726	08-14-2001	Chan et al.	
		US- 6,276,798	08-21-2001	Gil et al.	
		US- 6,312,393	11-06-2001	Abreu, Marcio Marc A. M.	
		US- 6,362,144	03-26-2002	Berman et al.	
		US- 6,387,059	05-14-2002	Marchitto et al.	
		US- 6,394,999	05-28-2002	Williams et al.	
		US- 6,413,251	07-02-2002	Williams, Roy E.	
		US- 6,421,548	07-16-2002	Berman et al.	
		US- 6,423,001	07-23-2002	Abreu, Marcio Marc	
		US- 6,424,848	07-23-2002	Berman et al.	
		US- 6,424,851	07-23-2002	Berman et al.	
		US- 6,430,424	08-06-2002	Berman et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/08b(08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 3 of 6

Complete if Known

Application Number	10/682,655
Filing Date	October 8, 2003
First Named Inventor	Brian Yen
Art Unit	2878
Examiner Name	Unknown
Attorney Docket Number	51861.00009

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		FREIHERR, Greg; "The Race to Develop a Painless Blood Glucose Monitor"; R&D Horizons, Medical Device & Diagnostic Industry (MDDI) archive; March 1997; 9 pages.	
		"Continuous Monitoring of Blood Glucose Levels"; Animas Corporation; Products - Glucose Sensor; 4 pages; Copyright 2000, 2001.	
		TUCHIN, Valery V.; "Coherence and Light Scattering Methods and Instruments for Medical Diagnosis"; SPIE'S Photonics West Biomedical Optics 2001 Conference; San Jose Convention Center; San Jose, CA; January 20-26, 2001; Short Course Notes SC032; 15 pages.	
		BASHKATOV, Alexey N. et al.; "Estimation of Glucose Diffusion Coefficient in Scleral Tissue"; 13 pages.	
		KLONOFF, Dr. David C. et al.; "Mid-Infrared Spectroscopy for Noninvasive Blood Glucose Monitoring"; LEOS Newsletter; 3 pages; Vol. 12, No. 2.	
		WAYNANT, R. W., Ph.D. et al.; "Overview of Non-Invasive Fluid Glucose Measurement Using Optical Techniques to Maintain Glucose Control in Diabetes Mellitus"; Overview of Non-Invasive Optical Glucose Monitoring Techniques; LEOS Newsletter; April 1998; 5 pages; Vol. 12, No. 2.	
		Medical Library - Noninvasive Blood Glucose Monitors; Medem, Inc.; 4 pages.	
		Digital Light Microscopy; Digital Optical Imaging Corp.; Copyright 1999-2002; 1 page.	
		"Creating a window into the body"; Posted October 6, 2000; 2 pages. URL://http://perl.spie.org/cgi-bin/news.pl?id=1753	
		HARDING, Anne; "Jab-Free Blood Sugar Test Inching Closer to Reality"; Yahoo! News - Reuters Limited; August 19, 2002; 3 pages.	
		TAMADA, Janet A., Ph.D. et al.; "Noninvasive Glucose Monitoring Comprehensive Clinical Results"; JAMA; November 17, 1999; pages 1839-1844; Vol. 282, No. 19; Copyright 1999 American Medical Association.	
		HOPKINS, George W. et al.; "In-vivo NIR Diffuse-reflectance Tissue Spectroscopy of Human Subjects" HP Laboratories Palo Alto; January 1999; HPL-1999-13; Copyright Hewlett-Packard Company 1999; 10 pages.	
		HAM, Fredric M., et al. "Multivariate determination of glucose concentrations from optimally filtered frequency-warped NIR spectra of human blood serum"; Physiol. Meas. 17 (1996); pages 1-20.	
		KOHL, Matthias et al. "The influence of glucose concentration upon the transport of light in tissue-simulating phantoms"; Phys. Med. Biol. 40 (1995); pages 1267-1287.	
		GlucoseWATCH - Automatic Glucose Biographer and Autosensors - PATIENT INFORMATION; Revision date March 2001; Copyright Cygnus, Inc. 2000; 6 pages.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

4

of

6

Complete if Known

Application Number	10/682,655
Filing Date	October 8, 2003
First Named Inventor	Brian Yen
Art Unit	2878
Examiner Name	Unknown
Attorney Docket Number	51861.00009

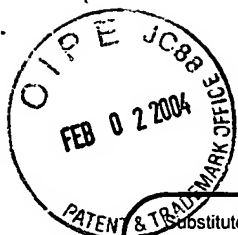
NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		PU, Chuan et al.; "A Surface-Micromachined Optical Self-Homodyne Polarimetric Sensor for Noninvasive Glucose Monitoring"; IEEE Photonics Technology Letters, February 2000, pages 190-192; Vol. 12, No. 2.	
		SAVAGE, Mark B. et al.; "Development of a Non-Invasive Blood Glucose Monitor: Application of Artificial Neural Networks for Signal Processing"; pages 29-20; Copyright 2000 IEEE.	
		MCSHANE, Michael J. et al.; "Glucose Monitoring Using Implanted Fluorescent Microspheres - Working Toward a Minimally Invasive Means for Diabetics to Better Monitor Glucose Levels"; IEEE Engineering in Medicine and Biology; November/December 2000; pages 36-45.	
		HAM, Fredric M.; "Multivariate Determination of Glucose Using NIR Spectra of Human Blood Serum"; pages 818-819; Copyright 1994 IEEE.	
		OLESBERG, Jonathon T.; "Noninvasive blood glucose monitoring in the 2.0-2.5 μ m wavelength range"; Department of Chemistry and the Optical Science and Technology Center, University of Iowa, Iowa City, IA; page 529; Copyright 2001 IEEE.	
		YOON, Gilwon et al.; "Non-Invasive Monitoring of Blood Glucose"; FP3 (Invited)/CLEO/Pacific Rim '99; page 1233-1234; Copyright 1999 IEEE.	
		YOON, Gilwon et al.; "Optical Measurement of Glucose Levels in Scattering Media"; Proceedings of the 20 th Annual International Conference of the IEEE Engineering in Medicine and Biology Society; 1998; pages 1897-1899; Vol. 20, No. 4.	
		YOON, Gilwon et al.; "Reagentless/Non-Invasive Diagnosis of Blood Substances"; MJ1-1 (Invited); pages I-226-I-227.	
		JIANG, Desheng et al.; "Study on a New Fiber Optic Glucose Biosensor"; ThP9; pages 451-454; Copyright 2002 IEEE.	
		HEISE, H. M. et al.; "Technology for Non-Invasive Monitoring of Glucose"; 18 th Annual International Conference of the IEEE Engineering in Medicine and Biology Society, M6 Minisymposium; Amsterdam 1996; pages 2159-2161.	
		COLVIN, Arthur E. et al.; "A Novel Solid-State Oxygen Sensor"; John Hopkins APL Technical Digest; 1996; pages 377-385; Vol. 17, No. 4.	
		AMEEN, David B. et al.; "A Lattice Model for Computing the Transmissivity of the Cornea and Sclera"; Biophysical Journal; November 1998; pages 2520-2531; Vol. 75.	
		BORCHERT, Mark S. et al.; "A Noninvasive Glucose Monitor: Preliminary Results in Rabbits"; Diabetes Technology & Therapeutics; 1999; pages 145-151; Vol. 1, No. 2; Mary Ann Liebert, Inc.	
		HOERAUF, H. et al.; "First experimental and clinical results with transscleral optical coherence tomography"; Ophthalmic Surg Lasers May-June 2000; PubMed; 2 pages.	
		MYERS, J. S. et al.; "Laser energy reaching the posterior pole during transscleral cyclophotocoagulation"; Arch Ophthalmol; April 1998; PubMed; 2 pages.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 5 of 6

Complete if Known

Application Number	10/682,655
Filing Date	October 8, 2003
First Named Inventor	Brian Yen
Art Unit	2878
Examiner Name	Unknown
Attorney Docket Number	51861.00009

NON PATENT LITERATURE DOCUMENTS

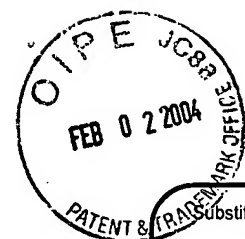
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ZHENG, Peng, Ph.D. et al.; "Noninvasive Glucose Determination by Oscillating Thermal Gradient Spectrometry"; Diabetes Technology & Therapeutics; 2000; pages 17-25; Vol. 2, No. 1; Mary Ann Liebert, Inc.	
		ARNOLD, Mark A. Ph.D.; Editorial: "Noninvasive Laser Measurement of Blood Glucose in the Eye: A Bright Idea or an Optical Illusion?"; Diabetes Technology & Therapeutics; 1999; pages 117-119; Vol. 1, No. 2; Mary Ann Liebert, Inc.	
		MALIN, Stephen F. et al.; "Noninvasive Prediction of Glucose by Near-Infrared Diffuse Reflectance Spectroscopy"; Clinical Chemistry; 1999; pages 1651-1658; Vol. 45, No. 9; Oak Ridge Conference.	
		HAMMER, M. et al.; "Optical properties of ocular fundus tissues—an in vitro study using the double-integrating-sphere technique and inverse Monte Carlo simulation"; Phy Med Biol; June 1995; 2 pages.	
		PREUSSNER, P.R. et al.; "Steps to optimize transscleral photocoagulation"; Graefes Arch Clin Exp Ophthalmol; May 1995; 2 pages.	
		CAMERON, Brent D. et al.; "The Use of Polarized Laser Light Through the Eye for Noninvasive Glucose Monitoring"; Diabetes Technology & Therapeutics; 1999; pages 135-143; Vol. 1, No. 2; Mary Ann Liebert, Inc.	
		SMALL, Gary W. et al.; "Data Handling Issues for Near-Infrared Glucose Measurements"; LEOS Newsletter; April 1998; 4 pages; Vol. 12, No. 2.	
		MCNICHOLS, Roger J. et al.; "Development of a Non-invasive Polarimetric Glucose Sensor"; LEOS Newsletter; April 1998; 3 pages; Vol. 12, No. 2.	
		HEISE, H. M.; "Diffuse Reflectance Near-Infrared Spectrometry for Non-Invasive Blood Glucose Monitoring"; LEOS Newsletter; April 1998; 3 pages; Vol. 12, No. 2.	
		ASHER, Sanford A. et al.; "Glucose Sensing Intelligent Polymerized Crystalline Colloidal Arrays"; LEOS Newsletter; April 1998; 4 pages; Vol. 12, No. 2.	
		BURMEISTER, Jason J. et al.; "Infrared Spectroscopy: Spectroscopic Considerations for Noninvasive Blood Glucose Measurements with Near Infrared Spectroscopy"; LEOS Newsletter; April 1998; 5 pages; Vol. 12, No. 2.	
		KOO, Tae-Woong, et al.; "Measurement of Glucose in Human Blood Serum Using Raman Spectroscopy"; LEOS Newsletter; April 1998; 2 pages; Vol. 12, No. 2.	
		LAMBERT, James et al.; "Measurement of Physiologic Glucose Levels Using Raman Spectroscopy in a Rabbit Aqueous Humor Model"; LEOS Newsletter; April 1998; 6 pages; Vol. 12, No. 2.	
		DANZER, K. et al.; "Near-Infrared Diffuse Reflection Spectroscopy for Non-Invasive Blood-Glucose Monitoring"; LEOS Newsletter; April 1998; 3 pages; Vol. 12, No. 2.	
		JANG, Sunghoon, et al.; "Optical Sensor Using the Magnetic Optical Rotatory Effect of Glucose"; LEOS Newsletter; April 1998; 4 pages; Vol. 12, No. 2.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 6 of 6

Complete if Known

Application Number	10/682,655
Filing Date	October 8, 2003
First Named Inventor	Brian Yen
Art Unit	2878
Examiner Name	Unknown
Attorney Docket Number	51861.00009

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		TARR, Randall V. et al.; "The Non-Invasive Measure of D-Glucose in the Ocular Aqueous Humor using Stimulated Raman Spectroscopy"; LEOS Newsletter, April 1998; 10 pages; Vol. 12, No. 2.	
		KHALIL, Omar S.; "Spectroscopic and Clinical Aspects of Noninvasive Glucose Measurements"; Clinical Chemistry; 1999; pages 165-177; Vol. 45, No. 2.	
		SHICHIRI, Motoaki et al.; "Non-invasive Fourier Transformed Infrared Spectroscopy for the Measurement of Submucosal Tissue Glucose Concentration—Application of Chalcogenide Optical Fiber System"; LEOS Newsletter, April 1998, 2 pages; Vol. 12, No. 2.	
		MCDONALD, William et al.; "Micron Sized Glucose Sensors for In-Vitro Monitoring of Glucose in Interstitial Fluid"; LEOS Newsletter, April 1998; 4 pages; Vol. 12, No. 2.	
		MCNAMARA, Kerry P. et al.; "Optochemical Glucose Sensing in Volume Limited Samples"; LEOS Newsletter, April 1998; 3 pages; Vol. 12, No. 2.	
		LARIN, Kirill et al.; "Optoacoustic Monitoring of Glucose Concentration in Ocular Tissues"; Optoacoustic Imaging and Spectroscopy Laboratory, Biomedical Engineering Center, Department of Ophthalmology, University of Texas Medical Branch, Galveston, Texas; October 4, 1998; 26 pages.	

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.